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E.O. 12958: N/A

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SUBJECT: PRAGUE - U.S. HELSINKI COMMISSION DELEGATION MEETS KEY  
CZECH HUMAN RIGHTS ACTIVISTS, GOVERNMENT OFFICIALS

¶1. (U) Senator Benjamin Cardin (D-MD) and Congressman Alcee Hastings (D-FL), the Co-Chairman and Chairman of the U.S. Helsinki Commission, respectively, led a congressional delegation to Prague from February 18-20. The delegation, which also included Congresswoman Louise McIntosh-Slaughter (D-NY) and Congressman Michael McNulty (D-NY), focused on human rights issues in the Czech Republic in advance of the February 21 Organization for Security and Cooperation in Europe (OSCE) winter session in Vienna. While in Prague, the delegation met with representatives of the Roma and Jewish communities, held meetings with Czech government officials, and participated in a press conference at Radio Free Europe/Radio Liberty.

#### ROMA AND MINORITY RIGHTS

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¶2. (SBU) The delegation met with representatives of the Roma community, lawyers, and social activists dedicated to monitoring conditions of the nation's estimated 200,000-strong Roma community. In their meeting, the activists painted a tough picture of Roma life in the Czech Republic. They outlined the vicious cycle of anti-Roma prejudice: substandard education, lack of jobs, high unemployment and economic disparity. They also expressed frustration that government officials have advised them to seek redress for wrongful sterilization cases in the courts, when all but a handful of such cases are barred by statutes of limitation. The Chairman and Co-Chairman expressed their deep concern over such issues, and stated that the solution lay in the country's leaders taking more practical steps to improve education and job opportunities for the Roma population. Congressman Hastings, who has been to the Czech Republic several times before, said that while he has noticed some improvements in the last 10 years, the pace of change is too slow and national and local level-leadership must be prepared to champion Roma issues more publicly.

¶3. (SBU) The delegation reiterated these concerns in meetings with key Czech government officials. In a meeting with Deputy Foreign Minister Jan Kohout, Senator Cardin stated that lack of Roma integration and the past practice of forced sterilization of Romani women were key concerns for the U.S. Government. He also acknowledged that these are not just Czech issues but issues that confront much of Europe. Kohout emphasized that the Czechs believe economic growth provides the best opportunity for Roma integration. He cited recent growth of seven percent in the Czech economy as a sign that job opportunities exist, and referenced government support for small pilot programs dealing with social integration.

¶4. (SBU) In a separate meeting, Czech Senate President Premysl Sobotka highlighted the government's proactive efforts to address minority issues through the government council for minority issues,

as well as the office of the Ombudsman; he also acknowledged that many of these issues - particularly with respect to the Roma - are several generations old. Sobotka emphasized that the government has made education a top priority, as this will facilitate greater integration of minorities. He indicated that some minorities, such as the Vietnamese, have done exceptionally well in Czech schools, while others, such as the Roma have not progressed in the same manner. Part of the problem, he said, is getting Roma parents to send their children to school.

¶5. (SBU) In a meeting with Ombudsman, Otakar Motejl, who investigated and filed an official report on the forced sterilization cases, the delegation explored the history of sterilization practices before and after the communist regime. Motejl explained that the program of sterilization that existed prior to 1989 was "legal" in the sense that government commissions existed to monitor and approve any sterilization decisions; monetary payments were also common to win the agreement of women who, in Motejl's estimation, were largely Roma. After 1989 a criminal investigation was opened into the program. While some 320 cases were identified, no criminal charges were ever brought.

¶6. (SBU) In 2005, Motejl became aware of cases of forced sterilization dating from the post-1989 period and, in his capacity as Ombudsman, he opened an official investigation. He identified "less than one hundred" cases, nearly all of them involving Roma women (but at least three victims identifying themselves as non-Roma), which occurred in 30-40 Czech hospitals. (Motejl also said he believed there were many more cases beyond those he investigated, but that the women were too ashamed to admit they had been sterilized.) These cases were sent to the Prosecutor's office for criminal investigation, but none have resulted in criminal suits; this is true in part because there is a five-year statute of limitations for criminal cases (three years for civil cases). With Motejl and other Czech officials, the delegation urged the

government to provide some compensation to the victims, and to encourage steps (perhaps through professional associations) to hold doctors and hospitals accountable for the operations. They also thanked Motejl for his attention to the issue and his detailed investigation.

#### ANTI-DISCRIMINATION LAW

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¶7. (SBU) With respect to proposed anti-discrimination legislation, Deputy Foreign Minister Kohout indicated that the draft legislation (required by the EU) is currently under consideration in the Czech Parliament and will be voted on next month. President of the Senate Sobotka promised to provide delegation members a copy of the legislation.

#### PROPERTY RESTITUTION

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¶8. (SBU) The delegation inquired about the status of property restitution cases of U.S. citizens with the MFA, Czech Parliamentarians, and representatives of the government's Human Rights Council. The MFA acknowledged that these cases have been difficult to resolve, particularly those cases involving individuals that fail to meet Czech citizenship requirements. An official from the Government Human Rights Council, Lucie Otahalova, observed that the Czech Republic had been repeatedly criticized by the UN Human Rights Committee for its discriminatory treatment of American property claimants. Czech Senator Mejstrik also indicated that the current and previous Czech governments were not of the same mind as to how to resolve these cases, but he opined that the government is willing to move forward on the outstanding cases. While Deputy Foreign Minister Kohout suggested there was no political will to re-open the issue of restitution, he suggested some form of compensation might be possible. Erika Schlager, Counsel for International Law at the U.S. Helsinki Commission, is preparing a letter for the government with illustrative U.S. cases.

## ANTI-SEMITISM

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¶9. (SBU) The delegation also discussed the Czech response to last year's anti-Semitic demonstrations on the anniversary of Kristalnacht and the possibility of an extremist group demonstration in March. Representatives of the Jewish community said they were generally satisfied with the public reaction to the extremist manifestations. The delegation urged Czech leadership to protect the freedoms of speech and assembly, but to be respectful of dates or sites that are sensitive to the Jewish community.

## MISSILE DEFENSE

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¶10. (SBU) Both the MFA and the Czech parliamentarians stated their support for our missile defense negotiations. Senate President Sobotka cited the threat of terrorism as the greatest danger that currently exists and the reason for Czech involvement in Iraq and Afghanistan. He stated that he strongly believes in monitoring the situation in "stormy parts of the world," and that this requires "active defense." Sobotka noted that Czech experts are intensively engaged in the Missile Defense negotiations and he looks forward to a successful conclusion.

## VISA WAIVER

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¶11. (SBU) Representative Hastings praised Czech efforts to bring down the visa refusal rates and noted that he hopes the Czech entry into the VWP can be brought to fruition in the near future. Kohout noted the recent meetings that the GOCR held with DHS A/S Barth and that the Czech Republic's visa refusal rate remains under 10 percent. He also indicated that the Czechs are in favor of signing a Memorandum of Understanding with the U.S. by the end of February and that this is an extremely important issue symbolically for the Czechs, as it demonstrates parity between our two countries as strategic allies.

¶12. (U) The delegation also had an opportunity to interact with domestic and international media during a press conference on February 19 at Radio Free Europe/Radio Liberty.

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